

Solid Waste Advisory Committee Meeting Summary October 26, 2006

Municipal Mandatory Recycling Enforcement

Jennifer Almeida, Recycling Coordinator for the Town of Chelmsford, presented an overview of Chelmsford's mandatory recycling program, which began in January 2006. Like many cities and towns, Chelmsford was faced with increased waste generation and flat recycling participation levels, resulting in increased waste disposal costs. After considering Pay –As-You-Throw, Chelmsford decided to pursue a mandatory recycling program. Through this program, which is based on North Andover's program, Chelmsford's hauler will not collect visible recyclables set out with trash.

The program was developed with a grant from MassDEP, including technical assistance from the MassDEP regional Municipal Assistance Coordinator. The town passed a mandatory recycling bylaw in fall 2005; conducted a comprehensive outreach effort to inform all sectors of the new rules and collection changes; and implemented the program effective January 30, 2006. Outreach and assistance included press releases, local cable access television announcements, mailing a town-wide tax bill insert, highlighting mandatory recycling in the town's Community Newsletter, and conducting focused outreach to multi-family housing owners and managers and schools and municipal buildings. Other unique outreach efforts included an arrangement with the local Boy Scouts to help disabled or elderly residents prepare and move recyclables to the curb.

It was noted that it is important to ensure that the municipality's contracted hauler is aware of the new requirements and prepared to implement them. In Chelmsford, despite initial communications from the Town, the hauler continued to collect recyclables with trash initially, until the Town used contract provisions to fine the hauler.

Through the first nine months, Chelmsford's disposal tonnage dropped by nearly nine percent, while recycling tonnage increased by an average of 26 percent. These changes have already saved the town \$73,000 in disposal fees and total first year savings are expected to be over \$100,000. Chelmsford has seen a substantial increase in recycling, with an estimated 75 percent of households participating and increased requests for additional recycling bins. It was noted that if a town is unable to implement Pay-As-You-Throw, mandatory recycling may be the best alternative to increase recycling and reduce disposal.

Waste Ban Enforcement and Department Approved Recycling Programs (DARP)

Steve Long and Brooke Nash of MassDEP gave a presentation on MassDEP waste ban hauler and generator enforcement and the Department Approved Recycling Program (DARP) program for cities and towns. This presentation emphasized the connections among mandatory recycling implemented at the local level, statewide DARP criteria, and waste ban enforcement against haulers and generators and highlighted how these approaches are a central component of MassDEP's efforts to reduce waste and increase recycling in Massachusetts. This presentation is posted on the SWAC web page with this meeting summary. For questions about waste ban

hauler and generator enforcement, please contact Stephen.long@state.ma.us. For questions about the DARP program, please contact John Crisley at john.crisley@state.ma.us.

MassDEP Updates

- **Municipal Waste Reduction Grants**
 - MassDEP has announced two rounds of municipal waste reduction grants. The first round included 10 technical assistance grants valued at \$69,000. The second round includes technical assistance grants and school chemical management grants to 30 municipalities with a value of more than \$100,000. These grants provide assistance to develop Pay-As-You-Throw (PAYT) programs, implement mandatory recycling, establish a new curbside recycling program, improve recycling center operations, and implement campaigns to get more paper out of the waste stream.
- **Recycling Industry Reimbursement Credit Grants**
 - MassDEP has distributed application materials for the Recycling Industry Reimbursement Credit (RIRC) grant program and posted these on the MassDEP web site at <http://www.mass.gov/dep/recycle/recawgr.htm>. The application deadline is November 9, 2006. RIRC provides grants (up to \$150K for food waste and \$50K for other targeted materials) to recycling processors and manufacturers to help purchase capital equipment, and conduct pilot projects and materials testing. Target materials include:
 - food waste/residuals (residential and/or commercially generated, such as supermarkets, restaurants and food processors);
 - construction and demolition debris: asphalt roofing shingles, wood, gypsum wallboard, carpet, paint, used building products/components (windows, countertops, sinks, etc.); and,
 - commingled and other materials: mixed glass (commingled amber, clear and green container glass; non-container glass), mixed rigid plastics (commingled #s 3 through 7); agricultural plastics (film and bags), street sweepings and/or catch basin cleanings, and mattresses.

For more information, please contact Steve Long at Stephen.long@state.ma.us.

- **C&D Summit**
 - MassDEP is working with The Environmental Business Council and other organizations including the Massachusetts Chapter of SWANA, Construction Materials Recycling Association, Associated General Contractors, Boston Society of Architects and National Solid Waste Management Association to plan a Summit on C&D Debris Management. The Summit is scheduled for the morning of January 25, 2007 in Burlington.
 - The Summit will be modeled after MassDEP's successful Organics Summit and will focus on building links among different groups, particularly between C&D processors and C&D contractors, to increase C&D recycling and waste reduction.

- Organics Summit
 - The 7th Organics Summit is scheduled for March 6, 2007 in Marlborough.
- 2005 Solid Waste and Waste Reduction Data
 - MassDEP is currently working on draft 2005 solid waste and waste reduction data and expects to hold a Data Subcommittee meeting in November or December to review the draft data. Absent significant issues, revised data will be presented at the next SWAC meeting in January. If you are interested in participating in this Data Subcommittee review of the data, please contact Alissa Bilfield at Alissa.Bilfield@state.ma.us.
- Disaster Debris Planning
 - MassDEP is continuing to work on an internal draft of an All Hazards Debris Management Plan. This plan will update the Commonwealth's existing Debris Plan, which was last updated in 2002 and will serve as an annex to the State's Comprehensive Emergency Management Plan. Once this draft plan is approved internally, MassDEP will schedule stakeholder meetings to discuss the proposed plan and how it will be implemented. For more information, please contact John Fischer at john.fischer@state.ma.us.
- Asbestos in Soil Regulations
 - MassDEP's revised regulations on Asbestos in Soil and related proposed revisions to the Contaminated Soils Policy are still being revised internally and are not yet available. Once these are available for public comment, MassDEP will send an email notification to the SWAC email list.
- Other C&D Updates
 - MassDEP expects to complete an approval for a Beneficial Use Determination shortly that would allow sorted, clean C&D wood to be used as mulch. The BUD specifies that the wood can only include dimensional lumber that is separated prior to processing and grinding. The BUD will include testing and sampling parameters to ensure that the clean wood stream does not include painted or treated wood.
 - MassDEP is revising the draft Hydrogen Sulfide Policy (Control of Odorous Gas at Massachusetts Landfills) in response to comments received and expects to issue a final policy soon.
 - MassDEP is working with C&D processors to approve a Demonstration Project to test improved C&D fines and residuals in a small landfill area to determine whether they will be safe to use and not generate hydrogen sulfide concerns.
 - For more information or questions on these initiatives, please contact Jamie Doucett at james.doucett@state.ma.us.

Sharps Collection and Management

Roy Petre, from the Center for Environmental Health, Massachusetts Department of Public Health (DPH), gave a presentation outlining the new sharps (i.e., needles, syringes and lancets) disposal provisions as set forth in Chapter 172, An Act Relative to HIV and Hepatitis C Prevention (<http://www.mass.gov/legis/laws/seslaw06/sl060172.htm>). Both MassDEP and DPH will be involved in implementing these statutory changes, which involve establishing a collection and management infrastructure for the safe management and disposal of sharps. DPH will be developing regulations, in consultation with MassDEP, to implement this new collection and management program. However, before developing regulations, DPH, with assistance from MassDEP, will work with other state agencies, cities and towns, medical facilities, pharmacies, and other stakeholders to develop a proposed program for collecting and safely managing sharps.

Mr. Petre noted that the law has several challenging early deadlines and includes no funding or additional resources. DPH is currently surveying all stakeholders (health care providers, pharmacies, municipalities, nursing homes, fire stations, EMTs, etc) and collection program options to divert sharps from trash. DPH also has applied for an EPA grant to support developing a sharps collection program. DPH's goal is to identify and facilitate the most cost-effective approach. Attendees discussed potential sharp collection program approaches and offered a number of comments and suggestions:

- Massachusetts should look at New York's program, which requires hospitals and nursing homes to accept sharps for disposal, and apparently has been successful.
- Massachusetts should look at California's program, which allows sharps users to return sharps in mail-back containers and is paid for by insurance companies.
- Applicable Federal Department of Transportation (DOT) requirements regarding acceptable containers and shipping procedures for sharps must be adhered to¹.
- Solid waste haulers and disposal companies may be willing and interested in including sharps collection in their disposal contracts, as this would improve their worker health and safety by reducing sharps-related injuries from trash collection.
- Sharps come from a wide range of households, including those who use sharps to give their pets injections. Veterinary offices also generate sharps.
- MassDEP should have a key role in addressing sharps disposal issues and should implement a waste ban on sharps as has already been done for other solid waste items.
- Even with a state collection contract, collection and disposal of sharps from small collection centers is much more expensive than collection from hospitals and large medical facilities. Therefore, these large facilities should play a primary role in sharps

¹ See 49 CFR 173(b)(10)(v) regarding medical waste generated by households.

collection programs. One participant reported that Barnstable County fire stations and EMTs collect sharps and drop them off at hospitals when they transport patients.

- Some municipal officials are interested in setting up collection programs and, in fact, several have already (e.g., Franklin County, Barnstable). Others argued that this should not be a municipal responsibility or cost and that collection programs should be established, run by, and paid for by sharps manufacturers, retailers (either pharmacies or mail order), hospitals or other medical facilities, or the solid waste industry.
- One municipal official is working with the town Board of Health on potentially establishing an ordinance that would require pharmacies that sell sharps in town to accept used needles. This met with resistance from pharmacies who argued that they lack space for take-back and that this would unfairly result in them managing sharps from residents that purchase them via mail.

The DPH presentation is posted on the SWAC web page with this meeting summary. For questions or more information, please contact Roy Petre at roy.petre@dph.state.ma.us.

Mercury Law Implementation

Due to extensive discussion on sharps collection issues, this agenda item was not covered. However, a fact sheet on implementation of this legislation is posted on the MassDEP web page at www.mass.gov/dep.

Next SWAC Meeting

The next SWAC Meeting is scheduled for Wednesday, January 24, 2007, from 1:00 p.m. to 3:00 p.m. at MassDEP, One Winter Street, in Boston. (Please note that this is a change from the originally scheduled meeting date of Thursday, January 25, 2007.)